
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

YUSUF O. BUSH,

Plaintiff,

versus

T. J. WATSON, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:18-CV-595

**ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Yusuf O. Bush, proceeding *pro se* and *in forma pauperis*, filed this civil action pursuant to *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388, 395-97 (1971), against T. J. Watson, Unknown Hansen, Unknown Maze, Unknown Duck, Unknown Pitts, Unknown Hunter, Unknown Slaydon, and unidentified defendants.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the action pursuant to 28 U.S.C. § 1915(e) for failure to state a claim upon which relief may be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed a reply to the magistrate judge's Report and Recommendation, which the court liberally construes as objections.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit. Plaintiff asks the court to hold this case in abeyance pending the United States Supreme Court's resolution of *Egbert v. Boule*. In *Boule*, the Supreme Court granted certiorari to consider whether *Bivens* provides implied causes of action for First Amendment retaliation claims or for Fourth Amendment claims against federal officers engaged in immigration-related functions. *Egbert v. Boule*, __ U.S. __, 142 S. Ct. 457 (Nov. 5, 2021) (No. 21-147). Because Plaintiff's complaint does not involve a retaliation claim or an immigration-related Fourth Amendment claim, the Supreme Court's decision in *Boule* will not affect the result of this action.

ORDER

Accordingly, Plaintiff's objections (#37) are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#35) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 8th day of June, 2022.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE